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PTO/SB/21 (08-00)

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| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | <b>Application Number</b>   | 10/061,944                    |                |
|   | <b>Filing Date</b>          | February 1, 2002              |                |
|   | <b>First Named Inventor</b> | Schall, Thomas J.             |                |
|   | <b>Group Art Unit</b>       | 1646                          |                |
|   | <b>Examiner Name</b>        |                               |                |
| <b>Total Number of Pages in This Submission</b>                                     | 1                           | <b>Attorney Docket Number</b> | 019934-0032100 |

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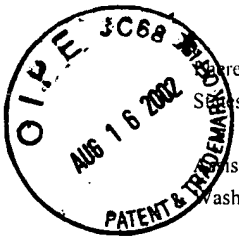
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| <b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b> |  |  |
| <b>Firm and Individual name</b>                   | Townsend and Townsend and Crew LLP<br>Scott L. Aussenhus Reg. No. 42,271 |  |
| <b>Signature</b>                                  |  |  |
| <b>Date</b>                                       | 08/13/02   |  |

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| <b>Typed or printed name</b>   | Maisie C. Livengood |                             |
| <b>Signature</b>   |                     | <b>Date</b> August 13, 2002 |

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On August 13, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Maisie C. Livengood  
Maisie C. Livengood

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Thomas J. Schall et al.

Application No.: 10/061,944

Filed: February 1, 2002

For: Chemomagnetic Retrieval of CMV  
and CMV Infected Cells

Examiner:

Art Unit: 1646

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

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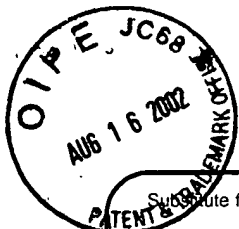


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Substitute for form 1449B/PTO

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(use as many sheets as necessary)

Sheet 1 of 1

### Complete if Known

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|------------------------|-------------------|
| Application Number     | 10/061,944        |
| Filing Date            | February 1, 2002  |
| First Named Inventor   | Schall, Thomas J. |
| Art Unit               | 1646              |
| Examiner Name          |                   |
| Attorney Docket Number | 019934-003210US   |

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| Examiner Initials * | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|---------------------|-----------------------|---|----------------|
|                     | A                     | CHEE, M.S., et al.; Analysis of the Protein-Coding Content of the Sequence of Human Cytomegalovirus Strain AD169; <i>Current Topics in Microbiology and Immunology</i> ; 1990; pp. 125-169; Volume 154  |                |
|                     | B                     | CHEE, M.S., et al.; Human cytomegalovirus encodes three G protein-coupled receptor homologues; <i>Nature</i> ; 19 April 1990; pp. 774-777; Volume 344   |                |
|                     | C                     | FINE, JAY S., et al.; Evaluation of Chemokine- and Phlogistin-Mediated Leukocyte Chemotaxis Using an in Vivo Sponge Model; <i>Inflammation</i> ; 2000; pp. 331-346; Volume 24, No. 4  |                |
|                     | D                     | FORD-HUTCHINSON, A.W., et al.; Leukotriene B <sub>4</sub> , Polymorphonuclear Leukocytes and Inflammatory Exudates in the Rat; <i>Prostaglandins</i> ; July 1984; pp. 13-27; July 1984; Volume 28, No. 1  |                |
|                     | E                     | GAO, JI-LIANG, et al; Human Cytomegalovirus Open Reading Frame US28 Encodes a Functional $\beta$ Chemokine Receptor; <i>The Journal of Biological Chemistry</i> ; November 18, 1994; pp. 28539-28542; Volume 269, No. 46  |                |
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|                     | G                     | HARRISON, JEFFREY K.; Role for neuronally derived fractalkine in mediating interactions between neurons and CX3CR1-expressing microglia; <i>Proc. Natl. Acad. Sci, USA</i> ; September 1998; pp. 10896-10901; Volume 95   |                |
|                     | H                     | IUVONE, TERESA, et al.; Differential effect of L-NAME and S-methyl-isothiourea on leukocyte emigration in carrageenin-soaked sponge implants in rat; <i>British Journal of Pharmacology</i> ; 1997; pp. 1637-1644; Volume 121                                   |                |
|                     | I                     | MIDDLETON, MARJORIE J., et al.; Functions of Purified Mouse Neutrophils Isolated From Gelatin Sponges; <i>Journal of Leukocyte Biology</i> ; 1989; pp. 461-466; Volume 46   |                |
|                     | J                     | NEOTE, KULDEEP, et al.; Molecular Cloning, Functional Expression, and Signaling Characteristics of a C-C Chemokine Receptor; <i>Cell</i> ; February 12, 1993; pp. 415-425; Volume 72  |                |
|                     | K                     | NISHIYORI, ATSUSHI, et al.; Localization of fractalkine and CX <sub>3</sub> CR1 mRNAs in rat brain: does fractalkine play a role in signaling from neuron to microglia?; <i>FEBS Letters</i> ; 1998; pp. 167-172; Volume 429                                    |                |
|                     | L                     | ZLOTNIK, ALBERT, et al.; Recent Advances in Chemokines and Chemokine Receptors; <i>Critical Reviews™ in Immunology</i> ; 1999; pp. 1-47; Volume 19  |                |

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